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April 16, 2024

**VIA ECF**

Honorable Rukhsanah L. Singh, U.S.M.J.  
United States District Court  
District of New Jersey  
Clarkson S. Fisher Fed. Bldg. & U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

**Re: *In re: Insulin Pricing Litigation*, No. 2:23-md-03080-BRM-RLS  
MDL No. 3080**

Dear Judge Singh:

I write on behalf of Plaintiffs in response to Defendants' letter dated April 15, 2024, regarding the parties' supplemental submissions addressing the issue of hyperlinked documents in the parties' proposed ESI Order [ECF No. 147].

In their letter, Defendants ask the Court to preclude Plaintiffs from providing any declarations in response to Defendants' forthcoming declarations (and supplemental briefing) regarding the technological feasibility of extracting and producing hyperlinked documents. Defendants' request seeks to hamper Plaintiffs' ability to fairly and adequately respond to Defendants' submission, which may very well necessitate a responsive declaration from a subject-matter professional to rebut Defendants' assertions.<sup>1</sup> Plaintiffs cannot make this determination until Defendants provide their submission, but Plaintiffs should not be foreclosed from submitting responsive declarations that could assist the Court by providing technical expertise on the issue the Court is evaluating. Plaintiffs therefore respectfully request that they be permitted to submit supplemental declarations in response to those submitted by Defendants.

If the foregoing request is acceptable to Your Honor, we respectfully request that this letter be "So Ordered" and entered on the docket.

We thank the Court for its continued attention to this matter.

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<sup>1</sup> What Defendants refer to as Plaintiffs' "surreply" is more accurately characterized as Plaintiffs' response to Defendants' supplemental submission on the issue of ESI hyperlinks.

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Respectfully submitted,

/s/ David R. Buchanan

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*Liaison Counsel for Self-Funded Payer Track*

cc: All Counsel of Record (*via* ECF)

IT IS on this \_\_\_\_\_ day of April, 2024,  
So Ordered:

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Hon. Rukhsanah L. Singh, U.S.M.J.